

M I N U T E S
March 6, 2009
Committee on Professional Discipline

PARTICIPATING:

Committee on Professional Discipline meeting was called to order by Acting Chairman, Wendell Wells, M.D., Burley, at 8:01 a.m. on Friday, March 6, 2009 in the Park Center Room of the DoubleTree Hotel, in Boise, Idaho. Present were Committee on Professional Discipline members: Bruce K. Miewald, M.D., Coeur d'Alene and Julia Bouchard, M.D., Boise. Chairman, Arthur C. Jones, III, Boise, and Michael Johnson, Public Member, Boise, were absent and excused. Also attending were: Nancy Kerr, Executive Director; Cathleen Morgan, Board Counsel; Mary Leonard, Associate Director; Cynthia Michalik, Quality Assurance Specialist; Janet Whelan, Quality Assurance Specialist and Jean Uranga, Attorney for the Board. Also present were Board of Medicine members: Stephen R. Marano, M.D., Chairman, Idaho Falls; David A. McClusky, II, M.D., Vice-Chairman, Twin Falls; Michael G. Melendez, M.D., Bonners Ferry; William A Cone, M.D., Lewiston; B. Joyce McRoberts, Public Member, Boise, and Trudy Jackson, Public Member, Emmett. Leo Harf, M.D., Nampa; Ralph Sutherlin, D.O., Meridian, and Colonel Jerry Russell, Director, Idaho State Police, joined the meeting at approximately 8:30 a.m.

MINUTES:

Minutes of the December 5, 2008 meeting were approved as written. (Miewald/Unanimous)

COMMITTEE ACTIONS/RECOMMENDATIONS:

At 8:02 a.m., pursuant to Idaho Code §67-2345 (1) (b), (d) and (f), the Committee moved to go into Executive Session to consider pending matters. (Motion – Bouchard; Approved - Miewald, Wells)

In executive session, the Committee reviewed all investigative information.

At 8:44 a.m., the Committee acted to leave Executive Session and go into Open Session. (Motion - Miewald; Approved – Wells, Bouchard)

In Open Session, the Committee voted on the matters considered during Executive Session and made recommendations to the Board of Medicine as follows:

Case No.6255 - The Committee acted to recommend closure. (Wells/Unanimous)

Case No. 6104 - The Committee acted to recommend closure. (Bouchard recused) (Miewald/approved Wells)

Case No.6258 - The Committee acted to recommend further investigation. (Bouchard/Unanimous)

Case No. 6261 - The Committee acted to recommend closure. (Wells/Unanimous)

Case No. 6286 - The Committee acted to recommend closure. (Miewald/Unanimous)

Case No.6268 - The Committee acted to recommend closure. (Bouchard/Unanimous)

Case No. 6287 - The Committee acted to recommend closure with a Confidential Letter of Concern, send a copy of the FSMB's publication, Responsible Opioid Prescribing and directed staff to conduct another records review in 6 months. (Wells/Unanimous)

Case No. 6284 - The Committee acted to recommend closure. (Miewald/Unanimous)

Case No. 6278 - The Committee acted to recommend closure. (Miewald/Unanimous)

Case No. 6247 - The Committee acted to recommend closure. (Bouchard/Unanimous)

Case No. 6307 - The Committee acted to recommend initiation of formal proceedings. (Miewald/Unanimous)

Case No. 6301 - The Committee acted to recommend granting request to terminate Stipulation and Order. (Bouchard/Unanimous)

Case No. 6257 - The Committee acted to recommend closure. (Miewald/Unanimous)

Case No. 6291 - The Committee acted to recommend closure. (Miewald recused) (Bouchard/approved Wells)

Case No. 6308 - The Committee acted to recommend further investigation. (Wells/Unanimous)

Case No. 6269 - The Committee acted to recommend further investigation. (Bouchard/Unanimous)

Case No. 6295 - The Committee acted to recommend closure. (Miewald recused) (Wells/approved Bouchard)

Case No. 2007-86 - The Committee acted to recommend amending the Stipulation and Order. (Wells/Unanimous)

The Committee acted to recommend that the following cases be closed by consent motion: Case Nos. 6210, 6290, 6275, 6270, 6274, 6292, 6300, 6267, 6281, 6276, 6242, 6271, 6282, 6277, 6314, 6197 and 6299.

The Committee reviewed follow-up information presented in case Nos. 2008-163, 2008-144, 2008-139, 2008-166, 6288, 2008-161, 6196, 2008-125, 2008-162, 6266, 5881 and 2008-150. No action was required.

The Committee reviewed the Stipulation and Order Compliance Report and the record reviews conducted in Monitor cases: 82, 86, 43 and 57. No action was required except in Case No. 86 (see above).

The Committee reviewed compliance with the Patient Freedom of Information Act and acted to recommend imposing a fine for one licensee who failed to comply with the PFOI.

The Committee reviewed the reports of matters that were determined to be outside of the Board's jurisdiction.

ADJOURNMENT:

Acting Committee Chairman Wendell Wells M.D. adjourned the meeting at 8:47 a.m. on Friday, March 6, 2009.

Minutes, March 6, 2009

Chairman

Executive Director